

EXHIBIT 47

THE HONORABLE THOMAS S. ZILLY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

HUNTERS CAPITAL, LLC, et al.,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

Case No. 20-cv-00983

PLAINTIFFS' SUPPLEMENTAL RESPONSE
TO AMENDED INTERROGATORY NO. 3

Pursuant to the Federal Rules of Civil Procedure, Plaintiffs 12th & Pike Associates LLC, Bergman's Lock And Key Services LLC, Hunters Capital LLC, Hunters Property Holdings, LLC, Greenus Building, Inc., Madrona Real Estate Investors IV, LLC, Madrona Real Estate Investors VI, LLC, Madrona Real Estate Services, LLC, Olive St Apartments LLC, Onyx Homeowners Association, Matthew Ploszaj, Redside Partners, LLC, The Richmark Company d/b/a Richmark Label, Shuffle LLC d/b/a Cure Cocktail, SRJ Enterprises d/b/a Car Tender, Sway And Cake LLC, and Wade Biller ("Plaintiffs") hereby supplement their response to Defendant City of Seattle's ("Defendant" or the "City") Interrogatory No. 3 as amended.

INTERROGATORIES

INTERROGATORY NO. 3 (AMENDED):

As to the matters described in your complaint, please identify each statute or ordinance that the City failed to abide.

SUPPLEMENTAL RESPONSE:

Plaintiffs object that distinction between “failed to abide” and “was not enforced” as used in amended Interrogatory No. 4 is vague and ambiguous. Plaintiffs also object that this interrogatory is not clearly delineated in time or space. However, Plaintiffs have agreed to answer this question in the interests of compromise to the best of their ability. Plaintiffs reserve the right to amend or supplement this answer as appropriate.

Plaintiffs contend the City was affirmatively required to act, but failed to act as required between at least June 8, 2020 and July 1, 2020, under at least the following statutes or ordinances:

Seattle Municipal Code (“SMC”) 10.02, Civil Emergencies

SMC 11.25, Parade Permits

SMC 15.04, Use and Occupation Permits

SMC 15.16, Cafes in the Public Space

SMC 15.17, Vending

SMC 15.40, Warning Lights and Barricades

SMC 15.44 Excavations and Fills

SMC 15.46, Debris in Public Places

SMC 15.52, Crowd Control Events

SMC 15.72, Sidewalk Maintenance

SMC 15.90, Enforcement

SMC 15.91, Citations

SMC 18.12, Parks Code

1 Fire Code, SMC 22.600.03202, including sections 105.6, 503.1, 503.4, and 104.11.

2 Seattle City Charter, Art. V, section 2.

3 DATED this 31st day of August, 2022.

4 **MORGAN, LEWIS & BOCKIUS LLP**

5 By: s/ Tyler S. Weaver

6 Patricia A. Eakes, WSBA #18888

7 Angelo J. Calfo, WSBA #27079

8 Tyler S. Weaver, WSBA #29413

9 Gabe Reilly-Bates, WSBA #52257

10 Andrew DeCarlow, WSBA #54471

11 Henry Phillips, WSBA #55152

12 1301 Second Avenue, Suite 2800

13 Seattle, WA 98101

14 Phone: (206) 474-6400

15 Fax: (206) 474-6401

16 Email: patty.eakes@morganlewis.com

17 angelo.calfo@morganlewis.com

18 tyler.weaver@morganlewis.com

19 gabriel.reillybates@morganlewis.com

20 andrew.decarlow@morganlewis.com

21 henry.phillips@morganlewis.com

22 *Attorneys for Plaintiffs*

CERTIFICATE OF SERVICE

I, Lixi Aylin Colmenero, declare that I am employed by the law firm of Morgan Lewis Bockius LLP, a resident of the State of Washington, over the age of eighteen (18) years, not a party to the above-entitled action, and competent to be a witness herein.

On August 31, 2022, I caused a true and correct copy of the foregoing document to be served on counsel listed below in the manner indicated:

PETER S. HOLMES

Seattle City Attorney

Joseph Groshong

Assistant City Attorneys

Seattle City Attorney's Office

701 Fifth Avenue, Suite 2050

Seattle, WA 98104

Tel.: (206) 684-8200

Fax: (206) 684-8284

E-mail: Joseph.Groshong@seattle.gov

☐ Via legal messengers

☐ Via first class mail

☐ Via facsimile

☒ Via email, per agreement

☐ Via E-Service

HARRIGAN LEYH FARMER & THOMSEN LLP

Tyler L. Farmer

Arthur W. Harrigan, J.

Kristin E. Ballinger

Caitlin B. Pratt

999 Third Avenue, Suite 4400

Seattle, WA 98104

Seattle, WA 98104

Tel.#: (206) 623-1700

Fax#: (206) 623-8717

E-mail: tylerf@harriganleyh.com

arthurh@harriganleyh.com

kristinb@harriganleyh.com

caitlinP@harriganleyh.com

☐ Via legal messengers

☐ Via first class mail

☐ Via facsimile

☒ Via email, per agreement

☐ Via E-Service

s/ Lixi Aylin Colmenero

Lixi Aylin Colmenero